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The situation of democracy and human rights in Haiti

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Letter dated 13 July 2000 from the Permanent Representative of France to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement issued on 12 July 2000 by the Presidency of the European Union on behalf of the European Union on the electoral process in Haiti (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under item 48 of the provisional agenda, and of the Security Council.

(*Signed*) Jean-David **Levitte**
Permanent Representative of France to the United Nations

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Annex

[Original: English and French]

Statement on the electoral process in Haiti issued on 12 July 2000 by the Presidency of the European Union on behalf of the European Union

1. The European Union fully endorses the action taken by the observer mission of the Organization of American States (OAS) in drawing the attention of the President of Haiti and the President of the Provisional Electoral Council to a flagrant, crucial error in the method of counting the votes for candidates in the senatorial election. It fails to understand the categorical refusal by the Provisional Electoral Council and the Haitian authorities to acknowledge that error, which seemed easy enough to rectify.

2. The European Union condemns the unacceptable threats that led the President of the Provisional Electoral Council to leave the country hurriedly.

3. The European Union regrets the fact that the President of Haiti and the Provisional Electoral Council have not responded favourably to the attempt by the Caribbean Community (CARICOM) to mediate or to the appeal by the President of the Security Council to the Haitian authorities on 6 July 2000 to take account of the OAS observer mission's findings. In this context, the holding of the second round of elections on 9 July 2000 appears particularly questionable.

4. The European Union would like to point out that full compliance with the constitutional provisions concerning elections and with the electoral law in force has to be regarded as the cornerstone of the basic principles of democracy and the rule of law, as emphasized by both OAS and CARICOM, organizations of which Haiti is a member. The European Union considers that the authorities' refusal to remedy the way in which the recent polling was conducted constitutes a serious breach of those basic rules.

5. The European Union therefore fully endorses the comments made by the Secretary-General of the United Nations and the head of the OAS observer mission. It could be compelled to reconsider its policy in Haiti, in particular in the field of cooperation and development, should the democratic process be called into question. Under the Lomé Convention, this would imply application of the provisions of article 366 (a), including partial or full suspension of aid.

6. The Central and Eastern European countries associated with the European Union, the associated countries Cyprus, Malta and Turkey and the European Free Trade Association countries Iceland and Liechtenstein members of the European Economic Area align themselves with the present statement.